

IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA

PATRICIA MCNULTY,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 19-5029
	:	
THE MIDDLE EAST FORUM, et al	:	
Defendant	:	

**ORDER**

AND NOW, this 30<sup>th</sup> day of December, 2020, upon consideration of Defendant The Middle East Forum’s Motion for Contempt for Failure to Comply with Court Order and Failure to Appear at Status Conferences (Doc. 38), along with Plaintiff and her counsel’s unexplained failure to respond to the Motion, and as set out in our accompanying memorandum opinion, it is hereby **ORDERED** that the Motion is **GRANTED in part** and **DENIED in part**.

It is further **ORDERED** that:

1. Plaintiff is found in civil contempt for failing to comply with Judge Brody’s October 15, 2020 discovery order (Doc. 33); and
2. Plaintiff’s counsel, Seth Carson, Esq. (“Carson”), is found in civil contempt for failing to comply with Judge Brody’s October 15, 2020 discovery order (Doc. 33); and
3. Carson is found in civil contempt for failing to appear at two consecutive Court-scheduled status conferences, held on September 29, 2020 and October 29, 2020; and
4. Plaintiff and Carson must comply with Judge Brody’s October 15, 2020 discovery order (Doc. 33) by engaging with Defendant to resolve the dispute concerning

Defendant's January 28, 2020 request for document production and all related subsequent requests. In resolving that dispute, Plaintiff must serve written responses and/or produce the responsive documents in accordance with her obligations under Fed. R. Civ. P. 34(b)(2)(B); and

5. Plaintiff and Carson must appear at all Court-scheduled conferences, comply with all deadlines, and meaningfully participate in the advancement of this litigation moving forward in accordance with their obligations under the Federal Rules of Civil Procedure, or face further sanctions, potentially including dismissal of Plaintiff's claims against Defendant; and
6. Plaintiff and Carson must pay Defendant's attorneys' fees and costs incurred as a result of Defendant's filing of two letters with this Court regarding discovery deficiencies (Docs. 29 & 36), this Motion for Contempt, and appearances at the two Court-scheduled status conferences; and
7. Defendant must submit to the Court their motion for attorneys' fees and costs **on or before January 8, 2021**, following which Plaintiff shall submit a response **on or before January 15, 2021**. The Court may then, if necessary, schedule a hearing for a determination of the proper amount of fees and costs to be paid; and
8. Defendant's request for dismissal of Plaintiff's claims against it is **denied** without prejudice to Defendant, who may renew it at a later date as appropriate.

BY THE COURT:

/s/ David R. Strawbridge, USMJ  
David R. Strawbridge  
United States Magistrate Judge